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## PART II— section 2

### Bills and Reports of Select Committees on Bills

#### HOUSE OF THE PEOPLE

The following Bill was introduced in the House of the People on 27th November, 1952:—

BILL No. 122 OF 1952

*A Bill to amend the Cinematograph Act, 1952*

BE it enacted by Parliament as follows:—

1. **Short title.**—This Act may be called the Cinematograph (Amendment) Act, 1952.

2. **Amendment of section 6 Act XXXVII of 1952.**—In section 6 of the Cinematograph Act, 1952 (hereinafter referred to as the principal Act), the proviso shall be omitted.

3. **Insertion of new section 6A in Act XXXVII of 1952.**—After section 6 of the principal Act, the following section shall be inserted, namely:—

“6A. *Information and documents to be given to distributors and exhibitors with respect to certified films.*—Any person who delivers any certified film to any distributor or exhibitor shall, in such manner as may be prescribed, notify to the distributor or exhibitor, as the case may be, the title, the length of the film, the number and the nature of the certificate granted in respect thereof and the conditions, if any, subject to which it has been so granted, and any other particulars respecting the film which may be prescribed.”

4. **Amendment of section 7, Act XXXVII of 1952.**—For sub-section (1) of section 7 of the principal Act, the following sub-section shall be substituted, namely:—

“(1) If any person—

(a) exhibits or permits to be exhibited in any place—

(i) any film other than a film which has been certified by the Board as suitable for unrestricted public exhibition or for public exhibition restricted to adults and which, when exhibited, displays the prescribed mark of the Board and has not been altered or tampered with in any way since such mark was affixed thereto,

(ii) any film, which has been certified by the Board as suitable for public exhibition restricted to adults, to any person who is not an adult, or

(b) without lawful authority (the burden of proving which shall be on him), alters or tampers with in any way any film after it has been certified, or

(c) fails to comply with the provision contained in section 6A or with any order made by the Central Government or by the Board in the exercise of any of the powers or functions conferred on it by this Act or the rules made thereunder,

he shall be punishable with imprisonment which may extend to three months, or with fine which may extend to one thousand rupees, or with both, and in the case of a continuing offence with a further fine which may extend to one thousand rupees for each day during which the offence continues.

#### STATEMENT OF OBJECTS AND REASONS

The Cinematograph Act, 1952, re-enacted the provisions of the 1918 Act separating matters relating to sanctioning of cinematograph films for exhibition, which is a Union subject, from matters relating to licensing and regulation of cinemas, which is a State subject. However, certain defects have been noticed in the course of actual administration, which it is necessary to rectify in the interests of effective enforcement of the provisions of the Act.

Under the proviso to section 6 of the Act notice has to be given to the person who has been granted a certificate to show cause as to why the film should not be uncertified before such an order is issued by the Central Government. This provision serves no useful purpose. On the other hand, the procedure for giving notice entails such a delay that the very object of uncertification is defeated. It is therefore proposed to delete the proviso.

A number of cases in which films have been exhibited with portions not passed by the Central Board of Film Censors have been brought to the notice of Government; in certain cases, portions ordered to be removed have been reinserted. Such interpolations are all too easy in the case of films. It is therefore necessary to recast the penalty clause so as to cover tampering with certified films after certification and to ensure transmission of complete information relating to the certificate to the distributor and the exhibitor. It is also proposed to enhance the penalty, as, at present, it is inadequate as a deterrent.

B. V. KESKAR.

NEW DELHI;  
*The 14th November, 1952.*

M. N. KAUL,  
*Secretary.*